

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, Second Floor
Topeka, KS 66612-1283

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



STATE OF KANSAS

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on back side of application form.)

The application must be supplemented by either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726. The following information must be shown on the map. If a change in the location of the point(s) of diversion is desired, show both the location of the presently authorized point(s) of diversion and the location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Describe the current condition and future plans of any points of diversion which are no longer to be used. These locations should be shown by plotting the position accurately on the map and giving the distance and direction from a section corner or some permanent point. If the source of supply is groundwater, then please show the location of existing water wells of any kind within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. Please be certain that the information shown on the map agrees with the information shown in the application.

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture:

1. Application is hereby made for approval of the Chief Engineer-Director to change the

- (Check one or more) ☐ Place of Use
☐ Point of Diversion
☐ Use Made of the Water

under the water right which is the subject of this application in accordance with the particulars hereinafter described

- (Check one only) ☐ Vested Right under File No. _____
☐ Appropriation Right under Application No. _____.

2. Name and address of applicant: _____

_____ Phone Number: () - _____

Name and address of water use correspondent: _____

_____ Phone Number: () - _____

For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

File No. _____

3. The presently authorized place of use is:

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

(If there are more than two landowners, attach additional sheets as necessary.)

4. It is proposed that the place of use be changed to:

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

(If there are more than two landowners, attach additional sheets as necessary.)

5. The presently authorized point(s) of diversion (is) (are) _____
(Give number)

_____ located as follows:
(wells, pumps, or other works for diversion of water)

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____ ,
Township _____, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of
the Southeast corner of section, and

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____ ,
Township _____, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of
the Southeast corner of section.

6. The proposed location of the point(s) of diversion (is) (are) _____
(Give number)

_____ located as follows:
(wells, pumps, or other works for diversion of water)

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____ ,
Township _____, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of
the Southeast corner of section, and

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____ ,
Township _____, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of
the Southeast corner of section.

7. The works for diversion of water at the proposed location will consist of _____

_____ (wells, pumps, etc.)

and proposed to be completed by _____
(Date)

8. The presently authorized use of water is for _____ purposes.
It is proposed that the use be changed to _____ purposes.

9. The change(s) proposed herein are desired for the following reasons (please be specific): _____

10. Furnish information to show:

- a. That the proposed change(s) will not impair existing water rights, and
- b. That the proposed change(s) relates to the same local source of supply as that to which the presently authorized water right relates. Attach statements, plats, geology reports, well logs, test hole logs, and other information as necessary with additional comments below:

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Section 82a-728 of the Kansas Water Appropriation Act, provides

(a) Except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of chapter 7 of article 82a of the Kansas Statutes Annotated [the Water Appropriation Act] and acts amendatory thereof or supplemental thereto or, for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use. . . . (Emphasis added)

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor. . .

A class C misdemeanor is punishable by a fine, only after notification by the Chief Engineer, not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

I declare that I am a landowner as identified herein, or that I represent a landowner as identified herein and am authorized to make this application in his or her behalf, and declare further that the statements contained herein are true, correct, and complete.

Dated at _____, Kansas, this _____ day of _____, 20____.

(Applicant)

(Spouse)

(Applicant(s) Social Security Identification Number)

(and/or Applicant(s) Taxpayer I.D. No.)

(Applicant)

(Spouse)

(Applicant)

(Spouse)

(Applicant)

(Spouse)

State of Kansas)
County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 20____.

Notary Public

My Commission Expires _____.

NOTE: The application must be signed by each person and his or her spouse, if married, whose name appears as an applicant and all other owners of land covered by the water right. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

FEE SCHEDULE effective July 1, 2002

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- | | |
|---|-------|
| (1) Application to change a point of diversion 300 feet or less | \$100 |
| (2) Application to change a point of diversion more than 300 feet | 200 |
| (3) Application to change the place of use | 200 |
| (4) Application to change the use made of the water | 300 |

Any application submitted which requests two of the types of changes set forth above shall be accompanied by a fee of \$300. Any application which requests three types of changes shall be accompanied by a fee of \$500.

Make check payable to **Kansas Department of Agriculture.**